



MELINDA KATZ
DISTRICT ATTORNEY

QUEENS COUNTY DISTRICT ATTORNEY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568

718.286.6000
WWW.QUEENSDA.ORG

The following information is provided pursuant to the People's obligations under CPL §245.20(k) and is obtained from the files of the Queens County District Attorney's Office and from data maintained by the New York City Police Department. Additionally, it may include information from other non-law enforcement agencies that the People disclose pursuant to the presumption of openness and the obligation to maintain the flow of information imposed by CPL §§245.20(7) and 245.55 respectively. The undersigned also acknowledges the continuing obligation under CPL § 245.60 to expeditiously disclose additional material that the District Attorney's Office may become aware of from any other source that are applicable to the disclosure obligation under subparagraph (k) or any other paragraph of CPL §245.25.

The information below pertains to **Police Officer Timothy Kessler, Shield No. 27043** whom the People intend to call as a witness in the above captioned hearing/trial.

CIVIL:

POLICE OFFICER TIMOTHY KESSLER WAS LISTED AS A DEFENDANT IN THE FOLLOWING CIVIL LAWSUITS:

1. **HARVEY, DWAYNE v. City of New York et. al.,** INDEX NO. 16CV0090, Eastern District

Please note that additional information regarding lawsuits, if desired, is available from a variety of public data bases.

This officer was the subject of an allegation that was found to be, "unsubstantiated" following an investigation. The District Attorney is not in actual possession of any documentation supporting this allegation and are informed by representatives of the NYPD that they are currently unable to provide such documents for CPL §245.20 disclosure. Under our discovery obligation defined in CPL §245.20(1)(k), we disclose only allegations that are either pending or have been substantiated. There is no controlling authority that requires the disclosure of an unsubstantiated allegation, but we bring its existence to your attention pursuant to the presumption of openness required under CPL §245.20(7).

Please note that additional information regarding this officer's NYPD disciplinary history may be available at <https://nypdonline.org/link/2>.

The People reserve the right to move in *limine* to preclude or limit reference to this information in any further proceedings in this prosecution.